

Appl. No. : 09/623,013  
Filed : August 24, 2000

obtaining a powder comprising particles prepared from fat and enzymes, said particles having a mean particle size less than 200  $\mu\text{m}$ ;  
spraying the powder with an atomized liquid;  
recovering the agglomerated bread improver;  
forming particles having a mean particle size greater than 250  $\mu\text{m}$ ;  
mixing said particles with dough; and  
heating said mixture comprising said dough and said particles.

21. (Amended) The method of Claim 20, wherein the ratio of the standard deviation/mean agglomerated particle size of the agglomeration is lower than the ratio of the standard deviation/mean particle size of the starting material, said starting material comprising enzymes and fat, said fat being an emulsifier.

22. (Amended) The method of Claim 20, wherein the atomized liquid is water.

23. (Amended) The method of Claim 20, wherein the atomized liquid comprises an agglomerating agent selected from the group consisting of polysaccharides, proteins, and a mixture thereof.

25. (Amended) The method of Claim 24, wherein the temperature of the fluidized bed reactor is between 20°C and 45°C.

#### REMARKS

In response to the Office Action mailed July 5, 2001, Applicant respectfully requests the Examiner to reconsider the above-captioned application in view of the foregoing amendments and the following comments. As a result of the amendments listed above, Claims 13-25 are pending, Claims 13, 15, 20-23, and 25 have been amended by this paper and are presented for further Examination.

#### Rejections Under 35 U.S.C. § 101

The Examiner has rejected Claims 13-18 under 35 U.S.C. § 101, as being non-statutory subject matter. In particular, the Examiner asserted that the claims read on natural products. As noted in *Diamond v. Chakrabarty* (447 U.S. 303, 206 U.S.P.Q. 193 (1980)), anything under the sun made by man meets the requirements of 35 U.S.C. §101. As amended above, Claim 13 clarifies that the claimed compositions comprises particles which are "prepared from fat and